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Docket No. 22841-015

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of

NICOLSON et al.

Serial No.: 09/640,526 : Group Art Unit: 1714

Filed: August 17, 2000 : Examiner: V. Jagannathan

For: EXTENDED WEAR OPHTHALMIC LENS

INFORMATION DISCLOSURE STATEMENT-I

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

In accordance with 37 CFR 1.17(p), please charge the fee of $180.00 to Deposit Account No. 50014.

The documents listed in this IDS were produced to Bausch & Lomb (B&L) in a patent infringement litigation styled *CIBA Vision Corporation v. Bausch and Lomb, Incorporated*, U.S. District Court for the Northern District of Georgia, Gainesville Division, Docket Civil No. 2:99-CV-034-WCO, filed March 8, 1999. The Patent Owner submits these documents for completeness of the record, along with the following description of the particular documents.

U.S. 4,128,318

Sieglaff et al. discloses the surface treatment of conventional hydrogel contact lenses to make them LESS hydrophilic presumably to make them less prone to biological contamination.

U.S. 4,214,014

Höfer et al. (now a part of CIBA Vision) discloses the plasma surface treatment of rigid and dehydrated hydrophilic lenses. There are no examples. All claims read on the process.

U.S. 4,546,123

Schäfer discloses the matrix or the surface modification of conventional hydrogels with surfactant molecules with the intent of reducing fouling or contamination by calcium, lipids or proteins. The examples do not disclose parameter/property changes caused by the modification. The process is a solution process therefore the problem of limiting the modification to just the surface is not addressed. Support for the effect is demonstrated by an in vitro assessment of protein uptake.

U.S. 4,666,249

Bauman et al. discloses surface modification of a central zone of a hydrogel lens to render that zone rigid. The intent of the process is to achieve better optics, centrally (less lens flexure) while maintaining a soft periphery so that soft lens comfort is provided.

U.S. 4,156,066, U.S. 4,156,067, U.S. 4,359,558, U.S. 4,408,023, U.S. 4,242,305, U.S. 4,439,583, 4,439,584, 4,439,585, U.S. 4,454,309 and U.S. 4,496,535

Tyndale Plains-Hunter, LLC disclose polyurethane and polyurethane acrylate polymers for biomedical applications, A few patents disclose using the polymers as coatings for a wide variety of applications. For example, U.S. 4,408,023 discloses contact lenses. The references define the polymers as compositions which will form hydrogels upon immersion in water and are allegedly permeable to gases, ions and other low molecular weight species. None of the disclosed materials appear to contain silicone or fluorine.

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No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence.

Respectfully submitted,

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